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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,994	03/27/2001	Iwao Nozaki	KIT 328	9760

24972 7590 10/18/2004
FULBRIGHT & JAWORSKI, LLP
666 FIFTH AVE
NEW YORK, NY 10103-3198

EXAMINER

TRAN, DOUGLAS Q

ART UNIT PAPER NUMBER

2624

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,994

Applicant(s)

NOZAKI, IWAQ

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/27/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/14/03; 3/27/01</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on Mar. 29, 2000. It is noted, however, that applicant has not filed a certified copy of the foreign application as required by 35 U.S.C. 119(b).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Suzuki (JP 09265141A that recited by the applicant) and Owa et al. (US Patent No. 6,348,971 B2).

As to claim 1, Suzuki teaches a photo printing method for transmitting image information to a plurality of printers through signal paths to print images (page 1, lines 8-9; fig. 1), comprising:

an order managing step for managing inputted image information (page 1, lines 18-24 indicates the first printer 30, the second printer 31 and the third printer 32 in the order for receiving the image data; thus, the type of image data is managed to each of printers 30, 31, and 32);

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a distributing step for distributing image data to the plurality of printers to be printed (page 1, lines 18-24 indicates the first printer 30, the second printer 31 and the third printer 32 in the order for receiving the image data; thus, the type of image data is distributed to each of printers 30, 31, and 32); and

an outputting step for outputting image information included to a selected printer based on an operating status of said selected printer (page 1, lines 18-24 indicates the first printer 30 for printing standard size of the image data, the second printer 31 for printing panorama size of the image data and the third printer 32 for printing the wide size of the image data. Thus the types of image data in the order are outputted to the same characteristics of each of printers 30, 31, and 32).

Although Suzuki teaches the type of image data is distributed to the type of printer (page 1, lines 18-24), Suzuki does not teach image data is managed and distributed to printers in the order.

Owa teaches image data in the order is managed and distributed to printers (fig. 12b indicates the order of pages are managed and distributed to each printer such as printer 13 and printer 11; col. 12, lines 61-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the step of managing and distributing of Suzuki for managing and distributing the image information in the order as taught by Owa. The suggestion for modifying the step of managing and distributing of Suzuki can be reasoned by one of ordinary skill in the art as set forth above by Owa because the modified printing system would increase the efficiency of the printer by managing the order of the image data from the print job and distributing them to

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the printers. Such a modification would allow the user to keep track the order of the output image data at the printers from the printing file.

As to claim 2, Suzuki and Owa disclose every feature discussed in claim 1, and Owa further teaches the distributing step includes assigning priorities to the orders; and the outputting step includes outputting the image information in an order of higher priority to one of said printers in a state for accepting printing data (col. 5, lines 45-63).

As to claim 3, Suzuki and Owa disclose every feature discussed in claim 1, and Owa further teaches printing data in corresponding orders is divided in units of frames and successively transmitted, to data storage devices of said printers, amounts of data for the number of frames storable in the data storage devices (col. 12, lines 45-67).

As to claim 4, Suzuki and Owa disclose every feature discussed in claim , and Owa further teaches printable image information is image information in one order and the plurality of printers are available for printing, frame image information in that order is transmitted as distributed to the plurality of printers (col. 6, lines 50-65).

As to claim 5, Suzuki discloses a photo printing system for transmitting image information including photo frame image data to a plurality of printers through signal paths to print images (page 1, lines 8-9; fig. 1), comprising:

a memory (i.e., the image storage file 26) for loading image information transmitted from an image input device (page 2, lines 8-9);

a print order managing unit (i.e., the printer selector 27) for managing said image information on a type of image data (page 1, lines 18-24 indicates the first printer 30, the second

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printer 31 and the third printer 32 in the order for receiving the image data; thus, the type of image data is managed in the order to each of printers 30, 31, and 32);

a distributing unit (i.e., the printer selector 27) for applying printer IDs identifying the printers used, as attribute data, to the image information in the respective types (page 1, lines 18-24 indicates the first printer 30, the second printer 31 and the third printer 32 in the order for receiving the image data; thus, the type of image data is distributed in the order to each of printers 30, 31, and 32 and the printer selector 27 should to know the printer IDs to apply which printer to be used);

a data output unit (i.e., the printer selector 27) for transmitting, based on a signal from said printer control unit, photo frame image data in an image file to be printed from said memory to one of said printers specified by the attribute data of said image file (page 1, lines 18-24 indicates the first printer 30 for printing standard size of the image data, the second printer 31 for printing panorama size of the image data and the third printer 32 for printing the wide size of the image data. Thus the types of image data in the order are outputted to the same characteristics of each of printers 30, 31, and 32).

Although Suzuki teaches the printer selector 27 (or a printer control unit) for indicating the type of printers and the type of image data is distributed to the type of printers (page 1, lines 18-24), Suzuki does not teach the selector 27 for checking an operating status of each of said printers and image data is managed and distributed to printers in the order.

Owa, in the same field of endeavor "distributing image data to each of printers", teaches the status monitor section (13 in fig. 2) for checking the status of each of the printers (fig. 3 and 4; col. 4, lines 6-13) and image data in the orders is managed and distributed to printers (fig. 12b

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indicates the order of pages are managed and distributed to each printers such as printer 13 and printer 11; col. 12, lines 61-67).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the printer selector 27 of Suzuki for checking the status of each of the printers and managing and distributing the order of pages to each of printers as taught by Owa. The suggestion for modifying the printer selector 27 of Suzuki can be reasoned by one of ordinary skill in the art as set forth above by Owa because the modified printer selector would increase the advantage of the printing system by distributing the print job to each of printers after checking the status of each of printers so that the printing system avoids the occurring errors when one of printers is not available for printing and managing the order of the image data from the print job and distributing them to the printers. Such a modification would allow the user to keep track the order of the output image data at the available printers from the printing file.

As to claim 6, Suzuki and Owa disclose every feature discussed in claim 5, and Suzuki further teaches said distributing unit applies said attribute data to the respective photo frame image data (page 1, lines 18-24).

As to claim 7, Suzuki and Owa disclose every feature discussed in claim 6, and Owa further teaches said distributing unit applies different printer IDs to the photo frame image data belonging to the image file of the same print order (fig. 7 indicates the document 30 for the same print order in which the difference of the printer 30a and 30b are applied to the difference of image data such as color image data and monochrome image data belonging to the document 30; col. 8, lines 39-44).

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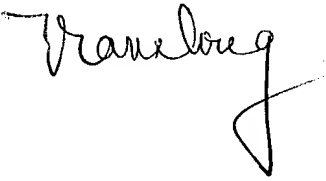
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or E-mail address is douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran

Oct 14, 2004

A handwritten signature in cursive script, appearing to read "Tran Douglas", with a long, sweeping horizontal line extending to the right.